

Message Text

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ACTION AF-08

INFO OCT-01 EUR-12 ISO-00 EB-07 CIAE-00 DODE-00 PM-04 H-02

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TO SECSTATE WASHDC PRIORITY 5260

INFO USDOC WASHDC

AMEMBASSY ABIDJAN

AMEMBASSY COPENHAGEN

AMEMBASSY LAGOS

AMEMBASSY LOME

AMEMBASSY LONDON

AMEMBASSY STOCKHOLM

USMISSION EC BRUSSELS

C O N F I D E N T I A L ACCRA 8359

LONDON FOR SEITZ

EO 11652 GDS

TAGS: BBAK, EINV, PINS, GH, DA

SUB: BRISCOE SEIZURE; COMMENTS AND CONSEQUENCES

REF: A)ACCRA 8345, B) ACCRA 8360, C) ACCRA 7885, (NOTAL),

1. SEIZURE BY DECREE OF ALL ASSETS OF R.T. BRISCOE (GHANA) LTD., SUBSIDIARY OF EAST ASIATIC CO. OF COPENHAGEN, REPORTED REFTEL B.

2. BRISCOE MAY INDEED HAVE VIOLATED GHANAIAN FOREIGN EXCHANGE AND OTHER LAWS AS ALLEGED IN SEIZURE DECREE, AND AS CHARGED IN KANGAROO-COURT SPECIAL INQUIRY COMMITTEE. HOWEVER, NOTHING HAS BEEN PROVED AND STRONG SUSPICIONS THAT BRISCOE SEIZURE ACT OF VENDETTA SEEM BORNE OUT BY FACT GOG UNWILLING TO BRING MATTER TO STILL-RELATIVELY-INDEPENDENT
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COURTS. IN FACT, GOVERNMENT HAS IN SENSE PRE-EMPTED COURTS,

SINCE BRISCOE APPEAL TO COURT OF APPEALS AGAINST COMPETENCE AND PROCEEDINGS OF SPECIAL INQUIRY COMMITTEE STILL PENDING.

3. BRISCOE QUITE POSSIBLY SINGLED OUT BECAUSE IT WAS AGENT FOR VOLKSWAGEN; AGENCY COVETED (AND EVENTUALLY OBTAINED) BY GHANAIAN FIRM KOWUS MOTORS. WIDELY RUMORED (THOUGH DENIED) THAT WIFE OF HEAD OF STATE HAS MAJOR INTEREST IN KOWUS.

4. MAJOR GENERAL L.A. OKAI AND BRIGADIER CHARLES BEAUSOLEIL, UNTIL NOV 12 RESPECTIVELY CHIEF OF DEFENSE STAFF AND COMMANDER OF AIR FORCE AND UNTIL THAT DATE EX OFFICIO MEMBERS OF SUPREME MILITARY COUNCIL, HAD BEEN RUMORED FOR SOME TIME ALSO TO BE TARGETS OF APPIAH COMMITTEE'S FINDINGS FOR ALLEGED PERSONAL ENRICHMENT THROUGH IMPORTATION OF CARS VIA BRISCOE WITHOUT PAYMENT OF DUTIES, ETC. THEIR OUSTER, REPORTED REFTEL A, SO SOON AFTER BRISCOE DECREE, WOULD LEND CREDENCE TO BELIEF THAT BRISCOE INVESTIGATION WAS AT LEAST IN PART A PORTION OF LARGER EFFORT TO CLEAN OUT POTENTIAL CHALLENGERS TO HEAD OF STATE ACHEAMPONG'S AUTHORITY.

5. GOG HAS TAKEN NUMBER OF RECENT STEPS, NOTABLY INDIGENIZATION EFFORT IN INVESTMENT POLICY DECREE, 1975, WHICH DISCOURAGE FOREIGN INVESTMENT IN GHANA, ALTHOUGH GOG REPEATEDLY PROCLAIMS IT WELCOMES FOREIGN INVESTMENT "ON RIGHT TERMS". ARBITRARY ACTION AGAINST BRISCOE DRIVES SEVERAL MORE NAILS IN INVESTMENT COFFIN, HOWEVER.

6. DANISH EMBASSY HAS REPEATEDLY BEEN REBUFFED IN ITS EFFORTS WITH GOG TO ASSIST BRISCOE. DANISH CHARGE TOLD EMBOFF NOV 11 THAT GOG HAD KEPT LOW PROFILE ON MATTER IN HOPE OF LEAVING GOG FACE-SAVING WAY OUT, BUT CLEARLY THIS POLICY PROVED WRONG. CHARGE HAS MADE AVAILABLE TO US AND OTHER FRIENDLY EMBASSIES COPY OF NOTE (DATED NOV 9 BUT APPARENTLY HANDED TO COMMISSIONER FOR FOREIGN AFFAIRS DAY BEFORE), POINTING OUT BRISCOE'S APPEAL STILL BEFORE COURTS, AND DEPLORING THAT NONE OF COMMITTEE'S PROCEEDINGS OR FINDINGS MADE AVAILABLE TO BRISCOE. NOTE GOES ON, "THE LATEST NEGATIVE DEVELOPMENT COULD HARDLY BE SAID TO JUSTIFY THE DANISH GOVERNMENT'S EXPECTATIONS AS TO A REASONABLE AND JUST CONCLUSION OF THE CASE AND ... DOES NOT PRESENT A FAVORABLE OMEN FOR THE CONFIDENTIAL

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COOPERATION BETWEEN THE ACP COUNTRIES AND THE MEMBER COUNTRIES OF THE EUROPEAN COMMUNITIES AS ENVISAGED IN THE LOME CONVENTION... AS SOON AS FURTHER DETAILED INFORMATION IS AVAILABLE, THE DANISH GOVERNMENT WILL ON ITS OWN AND TOGETHER WITH THE COMMISSION AND THE OTHER MEMBER COUNTRIES OF THE EUROPEAN COMMUNITIES REVIEW AND CONSIDER THOROUGHLY THE CASE IN ITS ENTIRETY AND WITH ALL ITS ASPECTS." NOTE EXPLICITLY REQUESTED GOG VIEWS BE BROUGHT TO HEAD OF STATE.

7. IN LETTER TO FRIENDLY EMBASSIES TRANSMITTING NOTE, DANISH CHARGE REPORTED HE TOLD COMMISSIONER HE REGRETTED THAT DESPITE REPEATED REQUESTS NEITHER DECREE, WHITE PAPER, NOR COMMITTEE REPORT MADE AVAILABLE TO EMBASSY; HE WAS CONCERNED OVER WELL-BEING OF DANISH CITIZENS WORKING FOR BRISCOE WHO WISHED TO LEAVE GHANA; REGRETTED THAT GOG ACTIONS SEIZING BRISCOE PREMISES EFFECTIVELY CLOSED HONORARY SWEDISH CONSULATE GENERAL; AND OBSERVED THAT HEAD OF STATE'S ASSURANCE THAT "THERE WOULD BE A SOLUTION TO THE CASE THAT WOULD LEAVE NO BITTERNESS" DID NOT SEEM FULFILLED.
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